



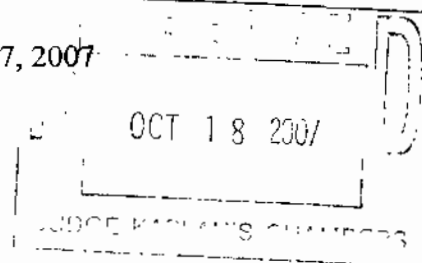
U.S. Department of Justice

United States Attorney
Southern District of New York

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/19/07

86 Chambers Street, 3d Floor
New York, New York 10007

October 17, 2007



BY HAND

The Honorable Lewis A. Kaplan
United States District Judge
Daniel Patrick Moynihan United
States Courthouse
500 Pearl Street, Room 1310
New York, NY 10007-1581

Re: *Shinder v. Chertoff, et al.*,
No. 07 Civ. 5736 (LAK)

Dear Judge Kaplan:

We write regarding the above-referenced *mandamus* action brought by plaintiff, Aleksandr Shinder, seeking to compel a decision by the United States Citizenship and Immigration Services on his application for discretionary adjustment of status to that of a lawful permanent resident pursuant to § 245(a) of the Immigration and Nationality Act of 1952 ("INA"), as amended, 8 U.S.C. § 1255(a). We respectfully request a 45-day extension of time for the Government to move or answer with respect to the complaint in the above-referenced action, from October 23, 2007 to December 7, 2007. This is the Government's second request for an extension in this matter. The Government's first request for a 60-day extension of time to answer or move with respect to the complaint was granted by Order of the Court dated August 23, 2007.

We make this request in order to provide the Government with additional time in which it may be able to complete Mr. Shinder's background check (which has been expedited pursuant to this Office's request) and to adjudicate his adjustment application, in an attempt to amicably resolve this matter. Plaintiff's counsel, Albert Feinstein, Esq., has consented to this request. Pursuant to Your Honor's individual practices we enclose a proposed stipulation and order.

SO ORDERED
Granted
LEWIS A. KAPLAN USDS

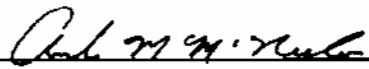
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Thank you for your consideration of this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
for the Southern District of New York

By: 
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(Enclosure)

cc: BY FACSIMILE & REGULAR MAIL (w/enclosure)
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